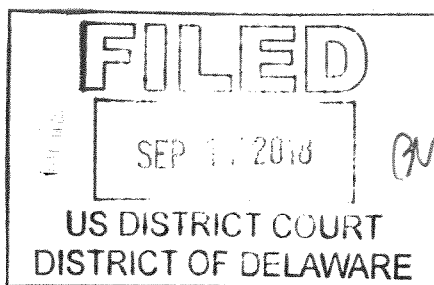


Anthony James Floyd
908 Greenfield Court
Kennedale, TX 76060
817-723-3870

Petitioner



**UNITED STATES DISTRICT COURT
DELEWARE DISTRICT COURT**

18 - 276

Anthony James Floyd

/

PETITIONER ,

Vs.

**United States of America,
Internal Revenue Service, And
Robert De Los Santos,
Special Agent**

/

RESPONDENTS.

) Case # _____

) PETITION TO QUASH 3rd PARTY

) SUMMONS

) Date: _____

) Time: _____

) Dept/Room: _____

) Delaware District Court

) 844 North King Street

) Wilmington, DE 19801

Petitioner, Anthony James Floyd, hereby petitions this court to quash the third party record keeper summons, issued to Bank of America N.A. , by the Internal Revenue Service, and relating to Anthony James Floyd.

I

JURISDICTION

1. This court has jurisdiction in this action pursuant to the provisions of Title 26 U.S.C. Sections 7609(b)(2)(A), 7609(h), and Title 28 U.S.C. Sections 1331 and 1340, venue is proper in that the Summons target resides in or is bound by the geographical

jurisdiction of this court
geographical jurisdiction of this court.

II

PARTIES

PARTIES

2. Anthony Floyd is a Citizen of the State of Texas with a legal residence in Kennedale, Texas.

3. Respondent United States of America, Internal Revenue

Service(hereinafter "IRS"), is a federal government entity with agencies and offices throughout the United States, and more specifically with an Internal Revenue Service Office located at

819 Taylor Street, 6th Floor Room 6A18, Fort Worth, Texas, from which this action has arisen. Respondent Robert De Los Santos, Special Agent are employees and agents of the IRS operating from the Office located at 819 Taylor Street 6th Floor Room 6A18, Fort Worth, Texas, from which this action has arisen.

4. Respondent Bank of America. is a Commercial Banking Corporation, and financial institution, with offices in a number of locations and states. More particularly found at Bank of America N.A.. P.O. Box 15047 Wilmington, Delaware 19850.

III

PETITION TO QUASH SUMMONS

5. On or about August 27, 2018 Special Agent Robert De Los Santos issued a third party summons to Bank of America N.A., a copy of which was mailed to Anthony James Floyd. (copy of summons attached hereto exhibit 1, and made a part hereof by reference thereto).

6. The summons directed to respondent Navy Federal Credit Union, requests the following documentation:

- 1) Bank records for all accounts located specifically account numbers 7051804586, 7053812454, 7054913673, 7054349613, 7055507623, 7056430833
- 2) Savings Account records
- 3) Deposit Slips and deposit items including cashed out foreign items
- 4) Copies of any applications for loans or mortgages records
- 5) Loan Records

Case # _____

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- 7.) Certificate of Deposit and Money Market Certificate
- 8.) U.S. Treasury Notes and Bills
- 9.) Credit Card Records
- 10.) Purchases of Bank Checks
- 11.) Other Record
- 12.) All correspondence
- 13.) all memoranda, notes, files or records or conversations concerning the petitioner

Petition To Quash 3rd Party Summons

Page 3

Case # _____

7. It appears on the face of the Summons that the Summons is issued "In the matter of Anthony James Floyd". The apparent purpose for the documentation sought in the summons is therefore not disclosed upon the face of the summons.

8. The Internal Revenue Service must at all times use the summons authority in good-faith pursuit of a congressionally authorized purpose. The IRS has the burden of showing in an adversarial proceeding that its investigation is pursuant to a legitimate purpose, and that the information sought is relevant and material to this legitimate purpose. Good faith is not presumed where the summons power is used to harass or to pressure the individual.

9. This petition is based on Floyd's contention that:

(a) Special Agent Robert De Los Santos is using the summons power to harass and pressure Floyd, for reasons unknown to Floyd at this time, and for purposes that are wholly illegitimate to the spirit and intent of the law, noting that no law or other authority was cited as the ostensible authority for issuance of the Summons.

(b) The IRS in general and Special Agent Robert De Los Santos specifically are aware that there is no legal basis of any kind that would support the issuance of a summons as evidence by the complete absence of any citation to any legitimate basis for the issuance of summons on its face.

And, therefore the IRS knows the summoned data cannot be relevant to any legitimate purpose.

(c) The IRS already possesses all relevant information to determination of whether Floyd may be liable under any internal revenue statute and the data summoned is incapable of adding any new information which could affect the determination of any potential liability. No legitimate purpose for the investigation is stated on the

Summons or any other documents relative to this action.

Therefore, the data Summoned is not relevant to any legitimate purpose.

WHEREFORE, in consideration of the foregoing and the attached memorandum of Law in support hereof, petitioner prays that this court order the respondents to appear before this honorable court and show cause as to why this court should not quash the summons here involved.

Respectfully Submitted

DATED::

9-15-2018

ANF

Anthony James Floyd

State of Texas
County of Tarrant
Sworn to and subscribed before me
on the 15 day of Sep, 2018,
by Anthony Floyd
APurva
Notary Public's Signature

